



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency:

Department of Agriculture

- ☒ Permanent Rule
☐ Emergency Rule

Effective date of rule:**Permanent Rules**

- ☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:**Emergency Rules**

- ☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: The Department amended chapter WAC 16-461-010, Inspection certificate and/or permit required. The Department eliminated the mandatory certification and twenty-one day recertification of Red Delicious and Delicious varieties by removing Section WAC 16-461-010(1)(ii). Other minor changes update the chapter and make it more usable.

Removing mandatory certification and twenty-one day recertification of Red Delicious and Delicious varieties does not remove the inspection requirement for these apple varieties in chapter 16-403 WAC, Standards for apples marketed within the state of Washington.

Citation of existing rules affected by this order:

Repealed:

Amended: WAC 16-461-010

Suspended:

Statutory authority for adoption: Chapter 15.17 RCW Standards of grades and packs, specifically RCW 15.17.030, Enforcement—Director's duties—Rules and Chapter 34.05 RCW, Administrative procedure act

Other authority :**PERMANENT RULE ONLY (Including Expedited Rule Making)**

Adopted under notice filed as WSR 09-05-091 on February 18, 2009.

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted:

May 1, 2009

NAME (TYPE OR PRINT)

Dan Newhouse

SIGNATURE**TITLE**

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 01, 2009

TIME: 10:02 AM

WSR 09-10-047

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
-----	-------	---------	-------	----------	-------

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	<u>1</u>	Repealed	_____
-----	-------	---------	----------	----------	-------

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>1</u>	Repealed	_____